IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4372 of 2007()

CRA.568/2001 of ADDL.SESSIONS COURT (ADHOC)-III, THALASSERY
CC.160/2001 of ADDL.CHIEF JUDICIAL MAGISTRATE COURT, THALASSERY

.....

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

K.SURESH BABU, S/O.KANNAN, KOLAVI P.O. KOTTAKKAL, VATAKARA TALUK.

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

---

1. C.J.JOSEPH, S/O.JOSEPH, VADIKKAGAM DESOM, THALASSERY.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P. RAVEENDRA BABU
SRI.M.K.SHAJI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl.R.P. No.4372 of 2007

* * * * * * * * * * * * * * * * * * * *

Dated: 06-12-2007

ORDER

The accused in C.C. No. 160 of 2001 on th**e file** of the Chief Judl. Magistrate Court, Thalassery for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12933 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.